

# EXHIBIT B

# KAPLAN HECKER & FINK LLP

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April 11, 2023

## VIA EMAIL

Chad Seigel  
Tacopina Seigel & DeOreo LLP  
275 Madison Avenue, 35th Floor  
New York, New York 10016

Re: *Carroll v. Trump*, 22 Civ. 10016 (LAK)

Dear Chad:

We write as a follow up to our meet-and-confer earlier today regarding my letter to Alina dated April 10, 2023. We maintain our position that funding secured to defray certain of Ms. Carroll's expenses and fees is not relevant to any of the issues that the jury will consider at trial.

Based on our discussion, it appears that you may be operating on a misunderstanding of the facts. As Ms. Carroll testified at her deposition, she had (and continues to have) a contingency fee arrangement with her counsel. In September 2020—well after Ms. Carroll filed her state court complaint in November 2019—counsel for Ms. Carroll secured financial support from a nonprofit organization that would help offset certain costs and fees in connection with counsel's work on Ms. Carroll's behalf. Ms. Carroll has never met and has never been party to any communications (written or oral) with anyone associated with that nonprofit or its financial supporters.<sup>1</sup>

The resources that Ms. Carroll's counsel were able to secure obviously have nothing to do with what happened at Bergdorf Goodman and whether Donald Trump lied about Ms. Carroll starting in June 2019 when this dispute began. This is consistent both with the position that we have taken throughout these proceedings and your failure to raise this issue in connection with our objection to your discovery request. *See, e.g.*, Plaintiff's Response No. 14 to Defendant's Requests for Production (objecting to request for documents concerning "funds...which have

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<sup>1</sup> We note that Donald Trump made many misstatements at his own deposition on October 19, 2022, concerning issues that (unlike this one) are in fact relevant to the jury determination in this case, such as with whom Mr. Trump spoke about Ms. Carroll's allegations, yet we would not contend that they are bases to reopen discovery now. *Compare* Deposition of Donald J. Trump, taken October 19, 2022 in *Carroll v. Trump*, No. 20 Civ. 7311 (S.D.N.Y.) ("*Carroll I*"), at 99:23–103:5 with Defendant Donald J. Trump's Supplemental Responses to Plaintiff's First Set of Interrogatories, *Carroll I* (Aug. 23, 2022).

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been...provided...in connection with this Action or in connection with ... consultations with any legal counsel”).

For these reasons, we cannot agree to this effort to adjourn the trial by reopening discovery on this irrelevant point. Nevertheless, in an effort at compromise in order to put this issue behind us, we would be willing to disclose the identity of the funder and agree not to object on relevance grounds to questions you might ask Ms. Carroll on cross-examination regarding her personal knowledge of the funding that her counsel secured. Please let us know whether we should schedule an additional meet-and-confer to discuss our proposal. In the event that you decide to ask the Court for any relief on this issue, we would request that you include this letter in any submission that you file.

Very truly yours,



Roberta A. Kaplan

cc: Counsel of Record